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06-09-021

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/989,726	
	<b>Filing Date</b>	November 19, 2001	
	<b>First Named Inventor</b>	Ashkenazi, et al. JUN 16 2004	
	<b>Group/Art Unit</b>	1647 TECH CENTER 1600/2900	
	<b>Examiner Name</b>	Landsman, Robert S.	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	39780-2730P1C60

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> <b>Fee Transmittal Form</b> <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> <b>Amendment / Response</b> <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> <b>Information Disclosure Statement/1449 with 4 cited references.</b> <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <b>stamped return postcard; Exhibits A-D (Declarations of A. Ashkenazi and P. Polakis with CV's).</b>
<b>Remarks</b>		
<b>AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER (Atty. Docket No. 39780-2730P1C60)</b>		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
<b>Firm or Individual name</b>	Daphne Reddy, Reg. No. 53,507 HELLER EHRMAN WHITE & McAULIFFE LLP		
<b>Signature</b>	Daphne Reddy		
<b>Date</b>	June 7, 2004	<b>Customer Number:</b>	35489

CERTIFICATE OF EXPRESS MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450			
Express Mail Label EL 993 688 425 US			
<b>Typed or printed name</b>	Cheryl Ann Rogers		
<b>Signature</b>	Cheryl Rogers	<b>Date</b>	June 7, 2004

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**180.00**

## Complete if Known

Application Number	09/989,726
Filing Date	November 19, 2001
First Named Inventor	Ashkenazi, et al.
Examiner Name	Landsman, Robert S.
Art Unit	1647
Attorney Docket No.	39780-2730P1C60

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## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: **08-1641 (39780-2730P1C60)**  
Deposit Account Name: **HELLER EHRMAN WHITE & McAULIFFE LLP**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$) <b>180.00</b>

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Daphne Reddy	Registration No. (Attorney/Agent)	53,507
Signature	<i>Daphne Reddy</i>	Telephone	(650) 324-7000
		Date	June 4, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi et al.

Docket No.: 39780-2730P1C60

Serial No.: 09/989,726

Group Art Unit: 1647

Filing Date: November 19, 2001

Examiner: Landsman, Robert S.

For: NUCLEIC ACIDS ENCODING PRO1281 POLYPEPTIDES

JUN 16 2004  
TECH CENTER 1600/2900

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

**MS: AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed on March 9, 2004 in connection with the above-identified patent application, please enter the following amendments, and consider the following arguments. This response is timely filed within the shortened statutory period set for the response. This response is also accompanied by an IDS filing with required fees.

Please enter the following amendments, and consider the following arguments.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

**CERTIFICATE OF MAILING (37 CFR 1.10(a))**

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on June 7, 2004 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as **Express Mail No. EL 993 688 425 US** addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: June 7, 2004

*Cheryl Ann Rogers*  
Cheryl Ann Rogers